

REMARKS

Claim 1 has been amended to recite that the noncrystalline thin film composed entirely or mainly of silicon and deposited on a current collector of the rechargeable lithium battery of the present invention is divided into columns by gaps extending in the thickness direction of the thin film. This limitation is supported in the specification disclosure by at least the description in paragraph [0016].

As described in paragraph [0016], as a result of the structure of the thin film specified in the claims, the stress in the thin film produced on charge and discharge is dispersed to facilitate a reversible structural change of the noncrystalline thin film. A rechargeable lithium battery including each of the elements recited in claim 1 (and the claims dependent thereon) is neither disclosed nor suggested by the prior art of record.

For this reason and the reasons explained in the response filed April 27, 2009, to the Final Office Action dated January 26, 2009, the claims are patentable under 35 U.S.C. § 102 and 35 U.S.C. § 103(a) and a notice of allowability is believed to be in order.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of

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SUBMISSION UNDER 37 C.F.R. § 1.114

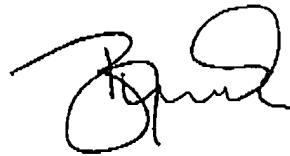
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time. The fee for any such extension may be charged to our Deposit Account No. 111833.

In the event any additional fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

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